PART III—Section 2.

NOTIFICATIONS BY THE HEADS OF DEPARTMENTS.

JUDICIAL DEPARTMENT.

IN THE HIGH COURT OF MYSORE AT BANGALORE.

RULES UNDER THE CONTEMPTS OF COURTS REGULATION, 1930.

R. Dis. No. 17 *of* 1931-32, *dated* 22*nd April* 1932.

In exercise of the power conferred by Section 5 of the Contempts of Courts Regulation 1930, the High Court of Mysore is pleased to prescribe, with the approval of Government, the following rules regarding the procedure to be followed by it in proceedings in respect of an offence under the said Regulation. The rules will come into effect from 1st May 1932.

1. Proceedings may be initiated by the High Court *suo motu*, or on an application in writing from a subordinate court or party aggrieved.

2. Every application or order initiating the proceedings under this Regulation shall be entitled Contempts of Courts Case No. of 19 -19 .

Applicant *vs.* Opponent.

3. The application shall contain in precise language a statement setting forth the facts constituting the alleged contempt, supported by an affidavit by some one acquainted with the material facts giving rise to such alleged contempt.

4. The application shall be presented in the manner required by rules 1 and 2 of the High Court Rules.

5 On the admission of the application or on the passing of an order initiating the proceedings *suo motu*, a distinctive serial number shall be given and all subsequent proceedings connected therewith shall bear that number. The applicant shall within seven days after admission furnish a copy of the application for service on the opponent or, if there are more opponents than one as many copies as there are opponents, and the Registrar shall sign the copy or copies so furnished.

6. The practice at present obtaining in the High Court with regard to issue of processes shall also apply for every process issued under this Regulation. As a general rule, summons shall issue in the first instance for the appearance of the opponent.

7. All proceedings under this Regulation shall be heard by a Bench consisting of not less than two Judges of the High Court.

8. Every opponent against whom proceedings are instituted under this Regulation may of right be defended by an Advocate of the High Court of Mysore.

9. In proceedings initiated by the High Court or by any Court subordinate thereto, the prosecution will be conducted by the Government Advocate. In proceedings taken on the application of a private party the applicant will have the right of being represented by an Advocate of the High Court of Mysore, in the conduct of the prosecution.

10. The procedure prescribed for summary trials in Chapter XXII of the Code of Criminal Procedure shall, so far as may be applicable, be followed in the trial of cases under this Regulation.

Notification No. R. Dis. 18 *of* 1931-32, *dated the* 20*th April* 1932.

Under section 19 of the High Court Regulation and in supercession of High Court Notification R. Dis. No. 16 of 1926-27, dated 11th January 1927, the High Court with the approval of Government makes the following rules in regard to references and applications to the High Court under the Mysore Income-tax Regulation :—

(1) References under section 66 (1) or (2) of the Regulation by the Commissioner of Income-tax stating a case for the opinion of the High Court shall, on receipt thereof by the Registrar, be numbered as Civil Petitions, but no fee shall be levied on such petitions.

(2) The Commissioner of Income-tax shall, together with his letter of reference, furnish three copies of the said letter and of any records necessary for the consideration of the reference and also a memorandum setting forth the address of the assessee to whom notice is to be given of the reference.

(3) On the said reference being numbered as a petition, intimation thereof shall be given to the Commissioner, who shall thereupon apply to the High Court for the issue of notice of the reference to the assessee concerned.

(4) Any application under section 66 (3) of the Regulation requiring the Commissioner of Income-tax to state a case for the opinion of the High Court shall be by a verified civil petition.

(5) The petition shall set out concisely the material facts, the proceedings that have taken place before the Income-tax Officers, a statement of the point of law upon which the case is to be stated, and shall pray for an order requiring the Commissioner to state the case and refer it to the High Court.

(6) With the petition shall be filed two spare copies thereof, three copies of the orders of the Income-tax Officer and the Deputy Commissioner of Income-tax and three copies of the order of the Commissioner of Income-tax disposing of the case.

(7) On the admission of the said petition under section 66 (1), (2) or (3), the Registrar shall fix the day of the hearing of the said petition and a notice, which shall be in Form 37 (appended hereto) intimating the fact of the admission of the said petition shall be issued and served in manner prescribed for summons to a defendant and shall be accompanied by a copy of the said petition and shall be served on such person or persons as the Registrar shall direct.

(8) As soon as the service of the notice directed by the Registrar has been proved, the petition shall be posted before a Bench of two Judges.

(9) In the event of the said reference being answered by the High Court, a copy of the Judgment delivered by the Court shall be sent to the Commissioner of Income-tax.

(10) In the event of the Court requiring the Commissioner of Income-tax to state a case, notice of the order containing the question or questions of law on which the case is to be stated, and a copy of the judgment, if any, delivered by the Court shall be sent to the Commissioner of Income-tax.

(11) All cases referred or stated by the Commissioner of Income-tax, shall as far as possible, be divided into paragraphs numbered consecutively, and shall concisely state such facts and refer to such documents, with copies of the latter annexed, as may be necessary to enable the Court to decide the question raised thereby.

(12) The Commissioner of Income-tax having stated a draft case, shall send it to the assessee or his pleader, with a request to supply him with any suggested additions or amendments relating to the statement of facts or to the inclusion of documents within fourteen days of the receipt of the same by the person to whom it is sent. In the event of no suggestions for addition or amendment being received by the Commissioner of Income-tax within the said fourteen days, he shall settle the case in its final form, forward the case as thus settled to the High Court and supply one cop thereof to the pleader for the assessee intimating to him, at the same time, the date on which the case stated by him was sent to the High Court.

(13) In the event of any question arising upon the statement of such case upon which the Commissioner of Income-tax and the assessee are unable to agree, either of them may apply to the Court, after giving previous notice in writing to the other party, for a direction as to the form in which such question shall be stated in the case, without prejudice to the provisions of section 66 (4) and the costs thereof shall be dealt with by the High Court in accordance with section 66 (5).

(14) Upon the argument of such petition the court and the parties shall be at liberty to refer to the whole of the contents of the documents annexed to the case.

(15) The statement of the case shall set out in the concluding paragraph thereof the point of law to be decided as stated in the application of the assessee or any modified form thereof which the High Court may have ordered, together with the opinion of the Commissioner of Income-tax thereon.

(16) In the event of the Commissioner of Income-tax being required by the assessee, or by the High Court, to state more than one distinct point of law, arising out of the same assessment, the facts and documents relating to each of such questions of law together with the question of law and the Commissioner's opinion thereon shall, unless otherwise ordered by the High Court, be set out in a separate case, to each of which these rules shall apply.

(17) The Court disposing of the cases shall fix the fees payable by or to either party in their absolute discretion.

H. M. KRISHNASWAMI,
Registrar.

Notice of applications under Section 66 (1), (2) or (3) of the Income-tax Regulation. H. C. No. 37.

IN THE HIGH COURT OF MYSORE AT BANGALORE.

Civil Petition No. *of*

(Under section of Regulation of)

.....Petitioner.

To

.....

.....

Take notice that a case has been stated and referred by the Commissioner of Income-tax for the opinion of the Judges of the High Court under date the.....day of.....19 , or that a petition has been made to the High Court on the.. .....day of.....19 , by the abovenamed petitioner to require you to state a case and refer it to the High Court for the opinion of the Judges, you are hereby required to appear before the said High Court on the.....day of.. .....19 , in person or by a duly authorised pleader and be prepared to argue the said petition and that, in default of your appearance, the said petition may be heard and determined in your absence.

Given under my hand and the seal of the Court this day..... .....of 19 .

Registrar or
Deputy Registrar.

BANGALORE DISTRICT.

Notification dated 11th April 1932.

It is hereby notified for the information of those to whom it may concern, that as required by the Chief Court Rule of Practice No. 86, dated 12th April 1913, the undermentioned records of the Amildar-Magistrate's Court, Nelamangala, have been marked out for destruction and that the parties concerned may apply to the Court within three months from the date of issue of this notification for the delivery of the exhibits, etc., filed by them and grant of/copies, after which date, the records in question will be destroyed:—

Year	Nature of record	Case number	Total number of records
		"A" files.	
1907—08	Non-Bailable cases convicted.	50	1
1908—09	Do	5, 11, 13, 20, 23, 25, 26, 40, 42, 45, 46, 48 and 49	13
1909—10	Do	5, 6, 7, 9, 11, 12, 14—15, 16, 18, 22, 23, 27, 28, 34, 36, 40, 42, 46 and 58.	19
1910—11	Do	3, 5, 19, 25, 34 and 68	6
1908—09	Bailable cases convicted	28	1
1909—10	Do	24 and 30	2
1910—11	Do	6	1
		"B" file.	
1916—17		70	1
		Total	44

K. V. ANANTARAMAN,
District Magistrate.

TUMKUR DISTRICT.

Notification No. J. C. 72—30-31, dated 5th May 1932.

In modification of this office Notification No. J. C. 72—30-31, dated 30th March 1932, constituting the Bench of Honorary Magistrates for the Bench Court at Tumkur, for the quarter beginning 1st April 1932, Mr. Meer Hussain Sab, is appointed as a Colleague for the Bench in place of Mr. Sundramiah who has left the place for Gubbi.

N. S. IYENGAR,
District Magistrate.

IN THE COURT OF THE SPECIAL FIRST CLASS MAGISTRATE, MADHUGIRI.

Dated 2nd May 1932.

Notice is hereby given that the undermentioned properties are lying unclaimed in this Court and if they are not claimed by those entitled to them within six months from the date of publication of the notice in the *Mysore Gazette*, they will be confiscated to Government and disposed of according to law.

Sl. No.	Property register No.	Case number with year	Details of property	By whom produced	Remarks
1	11—1929-30 ..	C. C. 66—29-30 ..	Art. 3 cash 1-8-0 ..	Produced by the Pavagada Police.	Unclaimed
2	37—1931-32 ..	C. C. 352—30-31 ..	(1) One panchai, (2) One coat, (3) One shirt (4) One laced shalya, (5) One kambali, (6) Knife, (7) Belli kappa, (8) Silver rings 2, (9) cash 0-1-3.	Produced by the Sira Police.	Do

R. RAMIAH NAIDU,
First Class Magistrate, Madhugiri.

HASSAN DISTRICT.

Official Memorandum No. 4(a) of 31-32, dated 2nd May 1932.

As Mr. Mahomad Imam Sahib, one of the Honorary Magistrates of the Bench Court at Alur is reported to be dead, the constitution of the Bench for the quarter ending 30th June 1932, is modified as follows:—

1 Mr. C. Basappa (Chairman)
2 „ Siddegowda
3 Mr. Hiriyannia

G. B. HEBLIKAR,
District Magistrate.

REVENUE DEPARTMENT.

OFFICE OF THE ASSISTANT SUPERINTENDENT, REVENUE SURVEY, HASSAN.

Notification dated 8rd May 1932.

The Land-holders and other persons concerned of all the Villages, Sirkar and Settled Inam of the Arkalgud Taluk, Hassan District, are hereby informed that hissa measurement operations will be conducted from the 1st of June 1932, or thereabouts by the measurers to be deputed for the purpose by the Officer in charge of the operations. The land-holders, etc., are hereby required to be present in their fields when the measurer deputed inspects them and supply to him particulars as regards ownership, title, boundaries or other information in their possession, failing which measurement will be done from information obtained on the spot.

If any Hissadar thinks that his hissa or any other right of his is not recorded in the Preliminary Record or omitted by the measurer he should bring the fact to the notice of the measurer or to the Nimtandar or to the Officer in charge of the operations.

Land-holders are hereby informed that they are not under any obligation to provide labour for Survey work, such as flag-holding, chain-dragging, etc. All such work will be got done by the Department through the agency of paid labour. The land-holders are only to show their field boundaries and urge their rights generally.

Note.—Work in the villages of Ramanathpur hobli will be commenced in the first week of June. The other Villages of the taluk will be taken up for hissa measurements from the 15th of November 1932.

P. N. KRISHNASWAMI,
Assistant Superintendent,
Revenue Survey.